

NOT TO BE PUBLISHED

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Yolo)

THE PEOPLE,

Plaintiff and Respondent,

v.

GUILLERMO JOHN ASTRAN,

Defendant and Appellant.

C074484

(Super. Ct. No. CR132069)

Appointed counsel for defendant Guillermo John Astran filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal.¹ (*People v. Wende* (1979) 25 Cal.3d 436.) Finding no arguable error that would result in a disposition more favorable to defendant, we affirm the judgment.

¹ Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

On May 18, 2013, defendant and the victim engaged in an argument in front of their children. Defendant then began punching the victim in the face, temple, and head. The victim fell to the ground, covering her face and head with her hands, and begged defendant to stop. Once defendant stopped, he left in his car. Defendant later reported he was so intoxicated at the time that he does not remember the incident. The victim sustained visible swelling and bruising to her nose and had a bleeding abrasion on her foot.

Pursuant to a plea agreement, defendant pleaded no contest to inflicting corporal injury on a cohabitant. (Pen. Code, § 273.5, subd. (a).)² In exchange for his plea, an allegation that defendant had served a prior prison term within the meaning of section 667.5 was dismissed and it was agreed defendant would receive the midterm of three years in prison. The parties also agreed any time imposed on a separate pending violation of a community supervision case would run concurrently.

The trial court sentenced defendant in accordance with the plea agreement on August 7, 2013, imposing three years for inflicting corporal injury on a cohabitant and a concurrent 90 days on the separate violation of community supervision case. The trial court imposed various fines and fees, including a \$300 restitution fine, and awarded defendant 157 days of presentence custody credit. The trial court also recommended defendant participate in substance abuse counseling while in prison. (§ 1203.096.)

Defendant appeals. He did not obtain a certificate of probable cause. (§ 1237.5.)

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

² Undesignated statutory references are to the Penal Code.

DISPOSITION

The judgment is affirmed.

RAYE, P. J.

We concur:

HULL, J.

MAURO, J.